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DRAFT 1

**SUBSTITUTE FOR  
HOUSE BILL NO. 4353**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the



1 amounts listed in this part are appropriated for the department of  
 2 state police for the fiscal year ending September 30, 2008, from  
 3 the funds indicated in this part. The following is a summary of the  
 4 appropriations in this part:

5 **DEPARTMENT OF STATE POLICE**

6 APPROPRIATION SUMMARY:

7	Full-time equated unclassified positions .....	3.0	
8	Full-time equated classified positions .....	2,899.0	
9	GROSS APPROPRIATION .....		\$ 563,835,200
10	Interdepartmental grant revenues:		
11	Total interdepartmental grants and intradepartmental		
12	transfers .....		26,043,700
13	ADJUSTED GROSS APPROPRIATION .....		\$ 537,791,500
14	Federal revenues:		
15	Total federal revenues .....		146,240,200
16	Special revenue funds:		
17	Total local revenues .....		8,739,100
18	Total private revenues .....		262,500
19	Total other state restricted revenues .....		113,916,300
20	State general fund/general purpose .....		\$ 268,633,400
21	<b>Sec. 102. EXECUTIVE DIRECTION</b>		
22	Full-time equated unclassified positions .....	3.0	
23	Full-time equated classified positions .....	39.0	
24	Unclassified positions .....		\$ 358,100
25	Executive direction--34.0 FTE positions .....		4,025,400
26	Auto theft prevention program--5.0 FTE positions .....		<u>10,752,200</u>



1	GROSS APPROPRIATION .....	\$	15,135,700
2	Appropriated from:		
3	Special revenue funds:		
4	Motor carrier fees .....		450,000
5	Auto theft prevention fund .....		10,752,200
6	State general fund/general purpose .....	\$	3,933,500
7	<b>Sec. 103. DEPARTMENTWIDE APPROPRIATIONS</b>		
8	Special maintenance and utilities .....	\$	447,600
9	Rent and building occupancy charges .....		9,399,450
10	Worker's compensation .....		2,901,000
11	Fleet leasing .....		14,883,700
12	In-service training - law enforcement distribution ...		450,000
13	In-service training - competitive .....		600,000
14	Narcotics investigation funds .....		<u>265,000</u>
15	GROSS APPROPRIATION .....	\$	28,946,750
16	Appropriated from:		
17	Interdepartmental grant revenues:		
18	IDT, Michigan justice training fund .....		1,050,000
19	IDG, training academy charges .....		265,400
20	Federal revenues:		
21	DOT .....		23,600
22	DHS .....		163,100
23	Federal narcotics investigation revenues .....		95,000
24	Special revenue funds:		
25	Forensic science reimbursement fees .....		94,200
26	State forensic laboratory fund .....		94,200
27	Criminal justice information center service fees .....		186,600



1	Secondary road patrol and training fund .....	6,600
2	Hazardous materials training center fees .....	98,400
3	Michigan justice training fund .....	13,600
4	Motor carrier fees .....	7,000
5	Highway safety fund .....	7,500
6	Traffic law enforcement and safety fund .....	14,800
7	Narcotics investigation revenues .....	170,000
8	State general fund/general purpose .....	\$ 26,656,750
9	<b>Sec. 104. SUPPORT SERVICES</b>	
10	Full-time equated classified positions ..... 213.0	
11	Human resources--25.0 FTE positions .....	\$ 2,239,400
12	Human resources optimization user charges .....	178,300
13	Management services--114.0 FTE positions .....	12,404,900
14	Training administration--37.0 FTE positions .....	5,781,500
15	Communications--12.0 FTE positions .....	2,730,300
16	Budget and financial services--25.0 FTE positions ....	<u>2,265,900</u>
17	GROSS APPROPRIATION .....	\$ 25,600,300
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDT, truck safety fund .....	5,000
21	IDT, auto theft funds .....	26,900
22	IDG-MDOS .....	2,000
23	IDG-MDOT, state trunkline fund .....	2,300
24	IDG, training academy charges .....	3,191,700
25	IDG-MDTR, casino gaming fees .....	42,100
26	IDG-MDTR, emergency telephone fund coordinator .....	419,900
27	IDG-MDTR, emergency telephone fund operations .....	476,800



1	IDG-MDOC, contract .....	1,072,800
2	Federal revenues:	
3	DOT.....	212,600
4	Special revenue funds:	
5	Local - LEIN fees .....	255,500
6	Local - MPSCS subscriber fees .....	26,600
7	Local - school bus revenue .....	1,300
8	Highway safety fund.....	138,700
9	Auto theft prevention fund.....	6,700
10	Drunk driving prevention and training fund .....	1,300
11	Hazardous materials training center fees .....	500
12	Michigan justice training fund .....	2,300
13	Narcotics investigation revenues .....	1,200
14	Secondary road patrol and training fund .....	1,700
15	Truck driver safety fund.....	1,100
16	Precision driving track fees .....	287,200
17	Criminal justice information center service fees .....	758,600
18	Reimbursed services .....	1,374,500
19	Traffic law enforcement and safety fund .....	239,700
20	Motor carrier fees .....	237,300
21	Forensic science reimbursement fee .....	36,700
22	Nuclear plant emergency planning reimbursement .....	5,600
23	State general fund/general purpose .....	\$ 16,771,700
24	<b>Sec. 105. HIGHWAY SAFETY PLANNING</b>	
25	Full-time equated classified positions.....	26.0
26	State program planning and administration--14.0 FTE	
27	positions.....	\$ 1,216,600



1	Secondary road patrol program--2.0 FTE positions .....	14,029,900
2	Truck safety program--2.0 FTE positions .....	3,000,300
3	Federal highway traffic safety coordination--8.0 FTE	
4	positions.....	<u>10,593,000</u>
5	GROSS APPROPRIATION .....	\$ 28,839,800
6	Appropriated from:	
7	Federal revenues:	
8	DOT.....	10,728,500
9	DOJ.....	575,600
10	Special revenue funds:	
11	Truck driver safety fund .....	3,000,300
12	Secondary road patrol and training fund .....	14,029,900
13	State general fund/general purpose .....	\$ 505,500
14	<b>Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER</b>	
15	Full-time equated classified positions.....	90.0
16	Criminal justice information center division--73.0 FTE	
17	positions.....	\$ 9,200,100
18	Criminal records improvement--1.0 FTE position .....	2,240,500
19	Traffic safety--16.0 FTE positions .....	<u>2,684,600</u>
20	GROSS APPROPRIATION .....	\$ 14,125,200
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDG-MDOS .....	281,700
24	IDG-MDCH, crime victims rights fund .....	475,800
25	IDG-MDOT, state trunkline fund .....	871,000
26	Federal revenues:	
27	DOJ .....	2,240,500



1	DOT .....	1,454,700
2	Special revenue funds:	
3	Traffic crash revenue .....	77,200
4	Criminal justice information center service fees .....	8,663,800
5	Sex offender registration fund .....	60,500
6	State general fund/general purpose .....	\$ 0
7	<b>Sec. 107. FORENSIC SCIENCES</b>	
8	Full-time equated classified positions ..... 220.0	
9	Laboratory operations--180.0 FTE positions .....	\$ 20,934,400
10	DNA analysis program--40.0 FTE positions .....	<u>7,079,100</u>
11	GROSS APPROPRIATION .....	\$ 28,013,500
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDG-MDCH, crime victims rights fund .....	430,000
15	Federal revenues:	
16	DOJ .....	4,054,200
17	Special revenue funds:	
18	Forensic science reimbursement fees .....	423,900
19	State forensic laboratory fund .....	1,497,000
20	State general fund/general purpose .....	\$ 21,608,400
21	<b>Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT</b>	
22	<b>STANDARDS</b>	
23	Full-time equated classified positions ..... 28.0	
24	Standards and training--22.0 FTE positions .....	\$ 2,204,300
25	Training only to local units--2.0 FTE positions .....	770,300
26	Concealed weapons enforcement training .....	140,000
27	Officer's survivor tuition program .....	48,500



1	Public safety officers benefit program .....	150,000
2	Justice training grants--4.0 FTE positions .....	<u>7,916,900</u>
3	GROSS APPROPRIATION .....	\$ 11,230,000
4	Appropriated from:	
5	Federal revenues:	
6	DOJ .....	182,600
7	Special revenue funds:	
8	Secondary road patrol and training fund .....	770,300
9	Concealed weapons enforcement fee .....	140,000
10	Michigan justice training fund .....	8,042,700
11	Licensing fees .....	5,300
12	State general fund/general purpose .....	\$ 2,089,100
13	<b>Sec. 109. EMERGENCY MANAGEMENT</b>	
14	Full-time equated classified positions .....	72.0
15	Emergency management planning and administration--55.0	
16	FTE positions .....	\$ 4,804,500
17	Grants to local government .....	2,482,100
18	FEMA program assistance--3.0 FTE positions .....	1,027,400
19	Nuclear power plant emergency planning--6.0 FTE	
20	positions .....	1,513,600
21	Hazardous materials programs--8.0 FTE positions .....	<u>102,239,200</u>
22	GROSS APPROPRIATION .....	\$ 112,066,800
23	Appropriated from:	
24	Federal revenues:	
25	DOT .....	583,800
26	DHS .....	106,317,300
27	Special revenue funds:	





1	Nuclear plant emergency planning reimbursement .....	1,513,600
2	Hazardous materials training center fees .....	1,503,300
3	State general fund/general purpose .....	\$ 2,148,800
4	<b>Sec. 110. POST UNIFORM SERVICES</b>	
5	Full-time equated classified positions .....	1,578.0
6	Uniform services--422.0 FTE positions .....	\$ 46,931,200
7	Security guards--15.0 FTE positions .....	1,097,000
8	Reimbursed services .....	1,709,000
9	At-post troopers--1,141.0 FTE positions .....	<u>135,155,100</u>
10	GROSS APPROPRIATION .....	\$ 184,892,300
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDG-MDMB, building occupancy charges .....	648,400
14	Special revenue funds:	
15	Highway safety fund .....	15,451,400
16	State police service fees .....	1,709,000
17	Traffic law enforcement and safety fund .....	29,303,000
18	Liquor license revenue .....	1,004,200
19	State general fund/general purpose .....	\$ 136,776,300
20	<b>Sec. 111. STATEWIDE FIELD OPERATIONS</b>	
21	Full-time equated classified positions .....	70.0
22	Operational support--53.0 FTE positions .....	\$ 5,927,600
23	Traffic services--10.0 FTE positions .....	3,861,000
24	Aviation program--7.0 FTE positions .....	<u>1,453,200</u>
25	GROSS APPROPRIATION .....	\$ 11,241,800
26	Appropriated from:	
27	Interdepartmental grant revenues:	



1	IDG-MDOC, contract .....	97,500
2	IDG-MDOT, state trunkline fund .....	365,700
3	IDG-MDCH, crime victims rights fund .....	121,500
4	Federal revenues:	
5	DOT .....	1,878,900
6	Special revenue funds:	
7	Private donations .....	262,500
8	Rental of department aircraft .....	51,200
9	Drunk driving prevention and training fund .....	1,280,300
10	State general fund/general purpose ..... \$	7,184,200
11	<b>Sec. 112. SPECIAL INVESTIGATIONS</b>	
12	Full-time equated classified positions ..... 349.0	
13	Criminal investigations--233.0 FTE positions ..... \$	31,492,700
14	Federal antidrug initiatives--62.0 FTE positions .....	9,949,200
15	Reimbursed services, materials, and equipment .....	2,641,000
16	Auto theft prevention--9.0 FTE positions .....	1,675,000
17	Casino gaming oversight--32.0 FTE positions .....	4,404,300
18	Fire investigation--13.0 FTE positions .....	1,542,450
19	Fire investigation training to locals .....	<u>50,000</u>
20	GROSS APPROPRIATION ..... \$	51,754,650
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDT, auto theft funds .....	1,364,300
24	IDG-MDTR, casino gaming fees .....	4,404,300
25	IDG-MDCH, tobacco tax .....	610,000
26	Federal revenues:	
27	Federal investigations - reimbursed services .....	750,500



1	DOJ .....	7,020,600
2	Federal narcotics investigation revenues .....	464,100
3	Special revenue funds:	
4	Local - reimbursed services .....	1,890,500
5	Narcotics investigation revenues .....	668,200
6	Forfeiture funds .....	510,500
7	Liquor license revenue .....	1,592,300
8	State general fund/general purpose ..... \$	32,479,350
9	<b>Sec. 113. MOTOR CARRIER ENFORCEMENT</b>	
10	Full-time equated classified positions ..... 214.0	
11	Motor carrier enforcement--106.0 FTE positions ..... \$	10,449,300
12	Truck safety enforcement team operations--10.0 FTE	
13	positions.....	1,325,000
14	Safety inspections--64.0 FTE positions .....	8,156,200
15	School bus inspections--16.0 FTE positions .....	1,395,300
16	Safety projects--18.0 FTE positions .....	<u>2,115,900</u>
17	GROSS APPROPRIATION ..... \$	23,441,700
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDT, truck safety fund .....	1,325,000
21	IDG-MDOT, state trunkline fund .....	8,235,300
22	Federal revenues:	
23	DOT.....	8,640,900
24	Special revenue funds:	
25	Local - school bus revenue .....	1,395,300
26	Motor carrier fees .....	3,845,200
27	State general fund/general purpose ..... \$	0



1     **Sec. 114. INFORMATION TECHNOLOGY**

2	Information technology services and projects .....	\$	18,540,900
3	Michigan public safety communications system .....		<u>10,005,800</u>
4	GROSS APPROPRIATION .....	\$	28,546,700
5	Appropriated from:		
6	Interdepartmental grants revenues:		
7	IDG-MDTR, casino gaming fees .....		85,700
8	IDG-MDOT, state trunkline fund .....		90,500
9	IDG, training academy charges .....		32,600
10	IDG-MDTR, emergency telephone fund coordinator .....		1,800
11	IDG-MDOS .....		47,700
12	Federal revenues:		
13	DOT .....		73,300
14	DOJ .....		516,600
15	DHS .....		263,800
16	Special revenue funds:		
17	Local - LEIN fees .....		3,582,900
18	Local - AFIS fees .....		38,800
19	Local - MPSCS subscriber fees .....		1,544,000
20	Local - school bus revenue .....		4,200
21	Auto theft prevention fund .....		3,800
22	Criminal justice information center service fees .....		1,129,300
23	Drunk driving prevention and training fund .....		2,900
24	Forensic science reimbursement fees .....		1,128,400
25	Hazardous materials training center fees .....		1,100
26	Liquor license revenue .....		1,000
27	Michigan justice training fund .....		221,200



1	Motor carrier fees .....	628,600
2	Narcotics investigation revenues .....	2,700
3	Nuclear plant emergency planning reimbursement .....	4,900
4	Precision driving track fees .....	300
5	Secondary road patrol and training fund .....	86,800
6	Sex offender registration fund .....	208,500
7	State forensic laboratory fund .....	347,500
8	State police service fees .....	7,500
9	Truck driver safety fund .....	2,400
10	Reimbursed services .....	8,100
11	State general fund/general purpose .....	\$ 18,479,800

## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2007-2008 is \$382,549,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$20,594,700.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE POLICE

OFFICE OF HIGHWAY SAFETY PLANNING

Secondary road patrol program .....	\$ 13,889,600
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MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS



1	Training only to local units .....	\$	650,200
2	Justice training grants .....		5,528,100
3	SPECIAL INVESTIGATIONS		
4	Fire investigation training for locals .....		50,000
5	SUPPORT SERVICES		
6	Communications .....	\$	<u>476,800</u>
7	Total .....	\$	20,594,700

8       Sec. 202. The appropriations authorized under this act are  
9 subject to the management and budget act, 1984 PA 431, MCL 18.1101  
10 to 18.1594.

11       Sec. 203. As used in this act:

12       (a) "AFIS" means the automated fingerprint identification  
13 system.

14       (b) "Department" means the department of state police.

15       (c) "DHS" means the United States department of homeland  
16 security.

17       (d) "DNA" means deoxyribonucleic acid.

18       (e) "DOJ" means the United States department of justice.

19       (f) "DOT" means the United States department of  
20 transportation.

21       (g) "FEMA" means the federal emergency management agency.

22       (h) "FTE" means full-time equated.

23       (i) "IDG" means interdepartmental grant.

24       (j) "IDT" means intradepartmental transfer.

25       (k) "LEIN" means law enforcement information network.

26       (l) "MCOLES" means the Michigan commission on law enforcement  
27 standards.



1 (m) "MDCH" means the Michigan department of community health.

2 (n) "MDMB" means the Michigan department of management and  
3 budget.

4 (o) "MDOC" means the Michigan department of corrections.

5 (p) "MDOS" means the Michigan department of state.

6 (q) "MDOT" means the Michigan department of transportation.

7 (r) "MDTR" means the Michigan department of treasury.

8 (s) "MPSCS" means the Michigan public safety communications  
9 system.

10 Sec. 204. The department of civil service shall bill  
11 departments and agencies at the end of the first fiscal quarter for  
12 the 1% charge authorized by section 5 of article XI of the state  
13 constitution of 1963. Payments shall be made for the total amount  
14 of the billing by the end of the second fiscal quarter.

15 Sec. 205. (1) Beginning October 1, a hiring freeze is imposed  
16 on the state classified civil service. State departments and  
17 agencies are prohibited from hiring any new full-time state  
18 classified civil service employees and prohibited from filling any  
19 vacant state classified civil service positions. This hiring freeze  
20 does not apply to internal transfers of classified employees from 1  
21 position to another within a department.

22 (2) The state budget director shall grant exceptions to this  
23 hiring freeze when the state budget director believes that the  
24 hiring freeze will result in rendering a state department or agency  
25 unable to deliver basic services, cause loss of revenue to the  
26 state, result in the inability of the state to receive federal  
27 funds, or necessitate additional expenditures that exceed any



1 savings from maintaining a vacancy. The state budget director shall  
2 report by the last business day of each month to the chairpersons  
3 of the senate and house of representatives standing committees on  
4 appropriations the number of exceptions to the hiring freeze  
5 approved during the previous month and the justification for the  
6 exception.

7       Sec. 207. At least 60 days before beginning any effort to  
8 privatize, the department shall submit a complete project plan to  
9 the appropriate senate and house of representatives appropriations  
10 subcommittees and the senate and house fiscal agencies. The plan  
11 shall include the criteria under which the privatization initiative  
12 will be evaluated. The evaluation shall be completed and submitted  
13 to the appropriate senate and house of representatives  
14 appropriations subcommittees and the senate and house fiscal  
15 agencies within 30 months.

16       Sec. 208. Unless otherwise specified, the department shall use  
17 the Internet to fulfill the reporting requirements of this act.  
18 This requirement may include transmission of reports via electronic  
19 mail to the recipients identified for each reporting requirement or  
20 it may include placement of reports on an Internet or Intranet  
21 site.

22       Sec. 209. Funds appropriated in part 1 shall not be used for  
23 the purchase of foreign goods or services, or both, if  
24 competitively priced and of comparable quality American goods or  
25 services, or both, are available. Preference should be given to  
26 goods or services, or both, manufactured or provided by Michigan  
27 businesses, if they are competitively priced and of comparable





1 quality.

2       Sec. 210. The director of each department receiving  
3 appropriations in part 1 shall take all reasonable steps to ensure  
4 businesses in deprived and depressed communities compete for and  
5 perform contracts to provide services or supplies, or both, for the  
6 department. The director shall strongly encourage firms with which  
7 the department contracts to subcontract with certified businesses  
8 in depressed and deprived communities for services or supplies, or  
9 both.

10       Sec. 211. It is the intent of the legislature that personnel  
11 of the department who request and are eligible for reimbursement of  
12 expenses related to the operation of the department be reimbursed  
13 from the appropriations provided in this act within 30 days after  
14 submitting a request, or the eligible personnel shall be paid an  
15 additional amount equal to 0.75% of the payment due. The department  
16 shall pay an additional amount equal to 0.75% of the payment due  
17 for the first month and each succeeding month or portion of a month  
18 the payment remains past due.

19       Sec. 213. (1) It is the intent of the legislature that the  
20 department shall not provide any subsidy for contractual services  
21 it provides.

22       (2) When the department provides contractual services to a  
23 local unit of government, the department shall be reimbursed for  
24 all costs incurred in providing the services, including, but not  
25 limited to, retirement and overtime costs.

26       (3) Contractual services provided to an entity other than a  
27 local unit of government may be provided by department personnel,



1 but only on an overtime basis outside the normal work schedule of  
2 the personnel.

3 (4) This section does not apply to state agencies.

4 Sec. 214. The departments and agencies receiving  
5 appropriations in part 1 shall receive and retain copies of all  
6 reports funded from appropriations in part 1. The department shall  
7 follow all federal guidelines and state laws regarding short-term  
8 and long-term retention of records.

9 Sec. 215. Not later than January 1, 2008, the department shall  
10 report to the state police appropriations subcommittees of the  
11 house and senate and the house and senate fiscal agencies. The  
12 report shall contain the following information regarding the  
13 department's activities related to casino gaming oversight during  
14 fiscal year 2006-2007:

15 (a) The amount of money received and expended.

16 (b) The nature and structure of the casino gaming oversight  
17 unit.

18 (c) The positions and classifications of employees assigned.

19 (d) The number of full-time and part-time employees and the  
20 aggregate number of FTEs.

21 (e) The number of enlisted and civilian positions.

22 (f) The duties and responsibilities of the assigned employees.

23 (g) The immediate past position of the enlisted employees  
24 assigned.

25 Sec. 216. The department shall collect and computerize the  
26 vehicle identification number (VIN) of all vehicles that are  
27 entered into the state accident data collection system and make



1 this and other vehicle information available to the public at cost.  
2 For bulk access to the accident records in which the VIN has been  
3 collected and computerized, the department shall make those records  
4 available to the public at cost, provided that the name and address  
5 have been excluded.

6 Sec. 217. From the funds appropriated in part 1, the  
7 department shall maintain a toll-free hotline in collaboration with  
8 the department of education. The toll-free hotline shall be  
9 operated 24 hours per day, 7 days per week, and shall provide  
10 students, school officials, and other individuals an opportunity to  
11 report specific threats of imminent school violence or other  
12 suspicious or criminal conduct by juveniles to the appropriate  
13 local law enforcement entities for investigation. The department  
14 may expend funds for the promotion of the hotline.

15 Sec. 218. (1) Funds appropriated in part 1 for at-post  
16 troopers shall only be expended for trooper salaries, wages,  
17 benefits, retirement, equipment, supplies, and other expenses  
18 directly related to state troopers assigned to general law  
19 enforcement duties at a department post, detachment, satellite  
20 office, or a resident trooper function.

21 (2) From the funds appropriated in part 1 for at-post  
22 troopers, 1 or more trooper recruit schools of a size, length, and  
23 date to be determined by the department or the legislature shall be  
24 conducted during fiscal year 2007-2008 with the goal of maintaining  
25 at-post trooper strength of at least 1,075 on September 30, 2008.

26 (3) The department shall submit quarterly written reports to  
27 the senate and house appropriations subcommittees on state police



1 and military and veterans affairs no later than December 1, 2007,  
2 March 1, 2008, June 1, 2008, and September 1, 2008 which shall  
3 include a trooper strength report and the status of the  
4 department's plan for accomplishing the goal of subsection (2). If  
5 the department determines that insufficient appropriations exist  
6 under part 1 to accomplish the goal of subsection (2), the  
7 department shall submit a proposal outlining a plan to accomplish  
8 the goal including an accounting of any additional funding  
9 necessary to that end.

10 Sec. 219. The department of state police shall notify the  
11 house and senate appropriations subcommittees on state police and  
12 military and veterans affairs and the house and senate fiscal  
13 agencies not less than 180 days before recommending to close or  
14 consolidate any state police posts. The notification shall include  
15 a local and state impact study of the proposed post closure or  
16 consolidation.

17 Sec. 220. The department of state police, in keeping with its  
18 role as the general law enforcement agency of the state and as the  
19 law enforcement agency of last resort for communities that are  
20 either without local law enforcement resources or are seriously  
21 underserved by local law enforcement resources, shall provide  
22 general law enforcement assistance to those communities until  
23 adequate law enforcement services can be provided to those  
24 communities by other means.

25 Sec. 221. The department of state police may pursue entering  
26 into an agreement with Calhoun County to build a new facility in  
27 Marshall which would serve as a new state police post to replace



1 the current state police post in Battle Creek.

2 Sec. 223. (1) Due to the current budgetary problems in this  
3 state, out-of-state travel for the fiscal year ending September 30,  
4 2008 shall be limited to situations in which 1 or more of the  
5 following conditions apply:

6 (a) The travel is required by legal mandate or court order or  
7 for law enforcement purposes.

8 (b) The travel is necessary to protect the health or safety of  
9 Michigan citizens or visitors or to assist other states in similar  
10 circumstances.

11 (c) The travel is necessary to produce budgetary savings or to  
12 increase state revenues, including protecting existing federal  
13 funds or securing additional federal funds.

14 (d) The travel is necessary to comply with federal  
15 requirements.

16 (e) The travel is necessary to secure specialized training for  
17 staff that is not available within this state.

18 (f) The travel is financed entirely by federal or nonstate  
19 funds.

20 (2) If out-of-state travel is necessary but does not meet 1 or  
21 more of the conditions in subsection (1), the state budget director  
22 may grant an exception to allow the travel. Any exceptions granted  
23 by the state budget director shall be reported on a monthly basis  
24 to the senate and house of representatives standing committees on  
25 appropriations.

26 (3) Not later than January 1 of each year, each department  
27 shall prepare a travel report listing all travel by classified and



1 unclassified employees outside this state in the immediately  
2 preceding fiscal year that was funded in whole or in part with  
3 funds appropriated in the department's budget. The report shall be  
4 submitted to the chairs and members of the senate and house of  
5 representatives standing committees on appropriations, the fiscal  
6 agencies, and the state budget director. The report shall include  
7 the following information:

8 (a) The name of each person receiving reimbursement for travel  
9 outside this state or whose travel costs were paid by this state.

10 (b) The destination of each travel occurrence.

11 (c) The dates of each travel occurrence.

12 (d) A brief statement of the reason for each travel  
13 occurrence.

14 (e) The transportation and related costs of each travel  
15 occurrence, including the proportion funded with state general  
16 fund/general purpose revenues, the proportion funded with state  
17 restricted revenues, the proportion funded with federal revenues,  
18 and the proportion funded with other revenues.

19 (f) A total of all out-of-state travel funded for the  
20 immediately preceding fiscal year.

21 Sec. 224. The department shall not take disciplinary action  
22 against an employee for communicating with a member of the  
23 legislature or his or her staff.

24 Sec. 225. It is the intent of the legislature that the  
25 administration, working with the MCOLES, continue the long-held  
26 practice that all revenue made available to the department from the  
27 Michigan justice training fund be used solely for costs directly



1 related to the delivery of Michigan justice training fund grants,  
2 so that in the future, eligible entities as provided under 1982 PA  
3 302, MCL 18.421 to 18.429, will have a stable and accurate source  
4 of training funds.

5       Sec. 226. The department of state police, in cooperation with  
6 the department of information technology and others, shall take  
7 steps to encourage the development of state, local, and regional  
8 tactical interoperable communication plans with the ultimate goal  
9 being to ensure that effective and efficient communication  
10 interoperability between radio communication systems of local,  
11 regional, state, and federal agencies is established in every area  
12 of the state. The department shall provide a written report to the  
13 senate and house appropriations subcommittees on state police and  
14 military and veterans affairs no later than April 1, 2008 on the  
15 current status of reaching this objective. The report shall include  
16 an accounting of exactly where within the state desired  
17 interoperability has been achieved and what cooperative measures  
18 and use of technology were used to achieve this interoperability,  
19 and which areas of the state have not yet achieved such status. The  
20 report shall also include a description of what strategies need to  
21 be employed to ensure that the remaining areas of the state, and  
22 the state as a whole, will have a communication system with  
23 efficient and effective interoperability, particularly on occasions  
24 when a multijurisdictional response to an emergency is warranted.

25       Sec. 227. (1) From the funds appropriated in part 1, the  
26 department of state police is prohibited from transporting  
27 employees of institutions of higher education on state-owned



1 aircraft.

2 (2) From the funds appropriated in part 1, the department is  
3 prohibited from transporting legislators or legislative staff on  
4 state-owned aircraft without prior approval from the senate  
5 majority leader or the speaker of the house of representatives, or  
6 both.

7 (3) From the funds appropriated in part 1, the department is  
8 prohibited from transporting local government employees on state-  
9 owned aircraft.

10 (4) It is the intent of the legislature that state elected  
11 officials use commercial or other private air service, unless air  
12 travel on state-owned aircraft is part of official state business.

13 (5) This section shall not apply to transportation that is  
14 related to law enforcement or homeland security activities.

15 Sec. 228. (1) In addition to the funds appropriated in part 1,  
16 there is appropriated an amount not to exceed \$5,000,000.00 for  
17 federal contingency funds. These funds are not available for  
18 expenditure until they have been transferred to another line item  
19 in this act under section 393(2) of the management and budget act,  
20 1984 PA 431, MCL 18.1393.

21 (2) In addition to the funds appropriated in part 1, there is  
22 appropriated an amount not to exceed \$2,000,000.00 for state  
23 restricted contingency funds. These funds are not available for  
24 expenditure until they have been transferred to another line item  
25 in this act under section 393(2) of the management and budget act,  
26 1984 PA 431, MCL 18.1393.

27 (3) In addition to the funds appropriated in part 1, there is





1 appropriated an amount not to exceed \$100,000.00 for local  
2 contingency funds. These funds are not available for expenditure  
3 until they have been transferred to another line item in this act  
4 under section 393(2) of the management and budget act, 1984 PA 431,  
5 MCL 18.1393.

6 (4) In addition to the funds appropriated in part 1, there is  
7 appropriated an amount not to exceed \$100,000.00 for private  
8 contingency funds. These funds are not available for expenditure  
9 until they have been transferred to another line item in this act  
10 under section 393(2) of the management and budget act, 1984 PA 431,  
11 MCL 18.1393.

12 Sec. 232. The department shall place emphasis on recruiting  
13 MCOLES certified police officers for any trooper recruit schools  
14 conducted during fiscal year 2007-2008. Emphasis shall be given in  
15 the hiring process to those officers who are on layoff and possess  
16 valid MCOLES certification. Any emphasis given in the recruiting  
17 and selection process shall be consistent with the department's  
18 hiring standards and in accordance with civil service rules. The  
19 department shall report to the chairpersons of the senate and house  
20 of representatives standing committees on appropriations the  
21 results of its recruitment and selection process, including the  
22 actual number of certified officers selected for the recruit school  
23 by September 30, 2008.

#### 24 INFORMATION TECHNOLOGY

25 Sec. 301. The money appropriated in part 1 for computer  
26 services shall be funded by LEIN user fees sufficient to pay 1/3 of



1 the service and contract maintenance costs of the LEIN system.

2       Sec. 302. From the funds appropriated in part 1 for  
3 information technology, departments and agencies shall pay user  
4 fees to the department of information technology for technology-  
5 related services and projects. These user fees shall be subject to  
6 provisions of an interagency agreement between the department and  
7 the department of information technology.

8       Sec. 303. Amounts appropriated in part 1 for information  
9 technology may be designated as work projects and carried forward  
10 to support technology projects under the direction of the  
11 department of information technology. Funds designated in this  
12 manner are not available for expenditure until approved as work  
13 projects under section 451a of the management and budget act, 1984  
14 PA 431, MCL 18.1451a.

15       Sec. 304. A portion of the funds appropriated in part 1 shall  
16 be used by the department to produce a written report detailing  
17 departmental policies regarding access to and use of information  
18 from the LEIN system. The report shall include a description of  
19 departmental measures to protect the security of information in the  
20 LEIN system including safeguards that would prevent unauthorized  
21 persons from obtaining information from the LEIN system. The  
22 department shall submit a copy of this report to the senate and  
23 house appropriations committees not later than April 1, 2008.

24       Sec. 305. The criminal justice information systems policy  
25 council shall encourage members of the law enforcement agencies in  
26 the state to be sensitive to, and note when necessary, activities  
27 or circumstances that may suggest the unauthorized access or misuse



1 of information from the LEIN system. The criminal justice  
2 information systems policy council shall advise LEIN auditors, as a  
3 part of their audit of law enforcement agencies, to investigate in  
4 depth all suspected incidents of improper access or improper use of  
5 information from the LEIN system and determine whether or not those  
6 incidents were illegal. In those incidents that may be determined  
7 to be illegal, the executive secretary for the council shall  
8 determine whether those incidents were of a negligent or criminal  
9 nature. If an incident is determined to be an illegal act, the  
10 council shall inform the chairs of both the senate and house  
11 appropriations committees.

12       Sec. 306. (1) The department of state police, working with the  
13 criminal justice information systems policy council, shall  
14 implement procedures by which all probation information is placed  
15 on the LEIN system. The LEIN system shall include information on  
16 each probationer, including any probation conditions placed on a  
17 probationer and the name of the probation officer assigned to a  
18 probationer. The LEIN system shall also include any nonstandard  
19 probation terms.

20       (2) If the department determines that amendments to the code  
21 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are  
22 required to include all probation information on the LEIN system,  
23 the department shall deliver to members of the senate and house  
24 appropriations subcommittees on state police and military affairs  
25 amendments to the code of criminal procedure, 1927 PA 175, MCL  
26 760.1 to 777.69, that, in the department's view, are necessary to  
27 accomplish this goal. These proposed amendments shall be delivered



1 to subcommittee members not later than December 1, 2007.

2       Sec. 307. The department of state police shall serve as an  
3 active liaison between the department of information technology and  
4 local public safety agencies to facilitate the use of the Michigan  
5 public safety communications system towers by those local public  
6 safety agencies that have an interest in using the towers as a part  
7 of their own communications system. The department of state police  
8 shall deliver a written report to the senate and house  
9 appropriations subcommittees on state police and military and  
10 veterans affairs by April 1, 2008, which shall include an  
11 assessment of the progress toward establishing local public safety  
12 agency use of the Michigan public safety communications system  
13 towers, an accounting of problems that may be preventing local use  
14 of the towers, and any recommendations the department has that may  
15 foster this utilization.

16       Sec. 308. The department of state police shall report any LEIN  
17 fee increase to the senate and house appropriations subcommittees  
18 on state police and military and veterans affairs 60 days prior to  
19 the effective date of that increase. The report shall contain the  
20 following information: the current fee structure and the total  
21 revenue earned each year; the new fee structure and the total  
22 revenue it is expected to earn annually; the total annual cost of  
23 the LEIN system; and the total amount of LEIN fees paid by the  
24 department under both the old and the new structure.

## 25 **HIGHWAY SAFETY PLANNING**

26       Sec. 401. On a quarterly basis, the department shall report to



1 the senate and house appropriations subcommittees on state police  
2 and military affairs on the status of assessments collected and  
3 authorized under section 629e of the Michigan vehicle code, 1949 PA  
4 300, MCL 257.629e, for the purposes of supporting the secondary  
5 road patrol grant program. Each quarterly report shall contain  
6 updated information on collection levels, revised projected grant  
7 allotments to counties for the year, a comparison of projected  
8 collections and grant distribution levels with the funds  
9 appropriated in part 1 for the secondary road patrol program, and  
10 the extent collection levels have exceeded or failed to meet  
11 appropriated levels for the current fiscal year or expenditure  
12 levels from the previous fiscal year.

### 13 **FORENSIC SCIENCES**

14 Sec. 501. (1) The department shall distribute a copy of the  
15 department's protocol for retaining and purging DNA analysis  
16 samples and records to each police agency in this state.

17 (2) The department shall report to the house and senate  
18 appropriations subcommittees on state police and military and  
19 veterans affairs and the house and senate fiscal agencies when any  
20 changes to the department's DNA protocol are made.

21 Sec. 502. The department shall work with the department of  
22 community health, the Michigan health and hospital association, the  
23 Michigan state medical society, and the Michigan nurses association  
24 to ensure that the recommendations included in the "Standard  
25 Recommended Procedures for the Emergency Treatment of Sexual  
26 Assault Victims" are followed in the collection of evidence.



1    **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

2           Sec. 601. The money appropriated to the MCOLES for maintenance  
3 and delivery of training to locals is provided in accordance with a  
4 state reimbursement policy in which 100% of the determined state  
5 reimbursement rate shall be distributed upon certification by the  
6 MCOLES.

7           Sec. 602. From the appropriations in part 1 for the training  
8 of new state troopers and other new police officers in the state  
9 and for the continuing education of all law enforcement officers in  
10 the state, sufficient funds shall be used to include curricula on  
11 the content and application of federal firearms laws, including the  
12 procedures necessary for law enforcement to turn appropriate cases  
13 over to the federal bureau of alcohol, tobacco, and firearms or any  
14 other applicable federal criminal justice agency.

15    **EMERGENCY MANAGEMENT**

16           Sec. 801. (1) The state director of emergency management may  
17 expend money appropriated under this act to call upon any agency or  
18 department of the state or any resource of the state to protect  
19 life or property or to provide for the health or safety of the  
20 population in any area of the state in which the governor proclaims  
21 a state of emergency or state of disaster under 1945 PA 302, MCL  
22 10.31 to 10.33, or under the emergency management act, 1976 PA 390,  
23 MCL 30.401 to 30.421. The state director of emergency management  
24 may expend the amounts the director considers necessary to  
25 accomplish these purposes. The director shall submit to the state



1 budget director as soon as possible a complete report of all  
2 actions taken under the authority of this section. The report shall  
3 contain, as a separate item, a statement of all money expended that  
4 is not reimbursable from federal money. The state budget director  
5 shall review the expenditures and submit recommendations to the  
6 legislature in regard to any possible need for a supplemental  
7 appropriation.

8 (2) In addition to the money appropriated in this act, the  
9 department may receive and expend money from local, private,  
10 federal, or state sources for the purpose of providing emergency  
11 management training to local or private interests and for the  
12 purpose of supporting emergency preparedness, response, recovery,  
13 and mitigation activity. If additional expenditure authorization in  
14 the Michigan administrative information network is approved by the  
15 state budget office under this section, the department and the  
16 state budget office shall notify the house and senate  
17 appropriations subcommittees on state police and military and  
18 veterans affairs and the house and senate fiscal agencies within 10  
19 days after the approval. The notification shall include the amount  
20 and source of the additional authorization, the date of its  
21 approval, and the projected use of funds to be expended under the  
22 authorization.

23 Sec. 802. The department shall not make any purchases related  
24 to a statewide emergency management computer network unless  
25 authorized to do so by the director of the department of  
26 information technology.

27 Sec. 803. The department's emergency management division shall



1 make every effort to ensure both of the following:

2 (a) That homeland security grants offered by the federal  
3 government and channeled through the department are allocated to  
4 first responder entities in the highest percentage possible.

5 (b) That homeland security grants awarded to the city of  
6 Detroit shall not be used to supplant city general funds designated  
7 to support first responder operations.

#### 8 **POST UNIFORM SERVICES**

9 Sec. 901. State police enlisted personnel who are employed to  
10 enforce traffic laws as provided in section 629e of the Michigan  
11 vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited  
12 from responding to crimes in progress or other emergency  
13 situations, and are responsible for protecting every citizen of  
14 this state from harm.

#### 15 **STATEWIDE FIELD OPERATIONS**

16 Sec. 1001. In addition to the appropriations in part 1 to the  
17 department of state police for the aviation program, the department  
18 is authorized to sell its aircraft and the proceeds from the sale  
19 are appropriated and may be applied to the renovation cost of  
20 replacement aircraft, cost of enhancing and maintaining existing  
21 aircraft, pilot training cost, and reimbursement for use of other  
22 state agency aircraft. If additional expenditure authorization in  
23 the Michigan administrative information network is approved by the  
24 state budget office under this section, the department and the  
25 state budget office shall notify the house and senate





1 appropriations subcommittees on state police and military and  
2 veterans affairs and the house and senate fiscal agencies within 10  
3 days after the approval. The notification shall include the amount  
4 and source of the additional authorization, the date of its  
5 approval, and the projected use of funds to be expended under the  
6 authorization.

7       Sec. 1002. Money privately donated to the department is  
8 appropriated under part 1 to be used for the purposes designated by  
9 the donor of the money. Money privately donated to the department's  
10 canine unit shall be used to purchase equipment and other items to  
11 enhance the operation of the canine unit. It is the intent of the  
12 legislature that money from private donations not supplant general  
13 fund appropriations.

#### 14 **SPECIAL INVESTIGATIONS**

15       Sec. 1101. (1) There is sufficient money appropriated in part  
16 1 to special investigations to ensure that the citizens in a  
17 service area of any state police post in the vicinity of a state  
18 prison do not experience a downgrading of state police services in  
19 their area. Special investigations shall be available by temporary  
20 or permanent assignment of a detective when either a temporary or  
21 permanent prison facility is opened.

22       (2) If the department is unable to comply with subsection (1)  
23 and there is a prison scheduled to open, the department shall  
24 provide troopers to serve as investigators on an interim basis.

25       Sec. 1102. From the funds appropriated in part 1 for special  
26 investigations, the department shall provide a report to the



1 chairpersons of the senate and house of representatives standing  
2 committees on appropriations no later than April 1, 2008 concerning  
3 methamphetamine-related criminal activities.

4 **MOTOR CARRIER ENFORCEMENT**

5 Sec. 1201. (1) The department shall report to the house and  
6 senate appropriations subcommittees on state police and the house  
7 and senate fiscal agencies by March 1, 2008 regarding the  
8 inspection of school buses and other motor vehicles under section  
9 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and  
10 section 39 of the pupil transportation act, 1990 PA 187, MCL  
11 257.1839. The report shall include the following information  
12 regarding inspections conducted in calendar year 2007:

13 (a) The number of buses and vehicles inspected by the  
14 department.

15 (b) The number of buses and vehicles passing and failing  
16 inspection.

17 (c) The estimated number of buses and vehicles not inspected.

18 (2) If each school bus within a school system receives a 100%  
19 successful state inspection on its first inspection in a given  
20 year, the department shall award a certificate to that school  
21 system.

